

RECEIVED

MAY 18 1999

**F. Peter Franck, Attorney @ Law**

Intellectual Property, Cultural and Constitutional Rights

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

1610 Tiburon Boulevard, Tiburon, CA 94920

415.381.9960; fax 415.381.9963; email [pfranck@culturelaw.com](mailto:pfranck@culturelaw.com)

May 17, 1999

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

EX PARTE OR LATE FILED

Re: Notice of *ex parte* presentation in MM docket 99-25;

Dear Ms. Salas:

On May 12, 1999 I met with Susanna Zwerling, Bruce Romano, Charles Logan and Alan Stillwell to discuss the pending Rulemaking in MM Docket 99-25. I told them that I work with and represented the National Lawyers Guild Committee on Democratic Communications and the Microradio Empowerment Coalition.

I expressed to them my groups' strong feeling that any new low power fm service must be entirely non-commercial and locally based. I pointed out that our interest and that of the non-commercial community based micro-broadcasters and activists we represent is for a service that will bring different voices, ideas, and culture to the air, and my belief that a commercially based system, while possibly different at the start would soon succumb to advertiser pressures and concerns and be little different than the present system.

I expressed my belief that the National Association of Broadcasters has had plenty of time, starting with the Inquiry proceeding last year to do their technical studies, and that the second extension of time they have requested is unwarranted and should be denied.

I explained that we would again file a Comment which was being made available to the micro community to join.

Chairman Kennard, accompanied by Susan Fox, joined the meeting briefly. I explained to him how my group had become involved, having been contacted for legal advice by one of the pioneer micro broadcasters, explained to him who we work with and represent, and reiterated to him the importance of reserving the limited space that will be available for low power stations for non-commercial ones.

Pursuant to Section 1.1206 (b) of the Commission's rules, an original and three copies of this letter are being filed with your office.



No. of Copies rec'd 043  
List ABCDE